

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DYNAENERGETICS EUROPE GMBH, and
DYNAENERGETICS US, INC.,

Plaintiffs,

v.

YELLOW JACKET OIL TOOLS, LLC and
G&H DIVERSIFIED MANUFACTURING, LP

Defendants.

Civil Action No: 6:20-cv-01110-ADA

CASE READINESS STATUS REPORT

Plaintiffs DynaEnergetics Europe GmbH and DynaEnergetics US, Inc. (collectively, “DynaEnergetics”) and Defendants Yellow Jacket Oil Tools, LLC and G&H Diversified Manufacturing, LP (“Defendants”), hereby provide the following status report in advance of the initial Case Management Conference (CMC).

FILING AND EXTENSIONS

Plaintiffs’ Complaint was filed on December 4, 2020. Plaintiffs filed an Amended Complaint on February 12, 2021. There have been two extensions to Answer. Defendant Yellow Jacket Oil Tools, LLC received an extension to the original Complaint for 30 days and received an extension to the Amended Complaint for 14 days. Defendants Yellow Jacket Oil Tools, LLC and G&H Diversified Manufacturing, LP’s response to the Amended Complaint was filed on March 19, 2021.

RESPONSE TO THE COMPLAINT

Defendant Yellow Jacket Oil Tools, LLC responded to the Complaint with a Motion to Dismiss on January 29, 2021. Plaintiffs filed an Amended Complaint on February 12, 2021. Defendants responded to the Amended Complaint with a Renewed Motion to Dismiss Plaintiffs' Claims or Alternatively Transfer to the Southern District of Texas on March 19, 2021.

PENDING MOTIONS

Defendants' Renewed Motion to Dismiss Plaintiffs' Claims or Alternatively Transfer to the Southern District of Texas.

RELATED CASES IN THIS JUDICIAL DISTRICT

1. *DynaEnergetics Europe GmbH v. GR Energy Services Operating GP LLC*, No. 6:21-cv-00085-ADA (WDTX) (asserting U.S. Patent No. 10,844,697)
2. *DynaEnergetics Europe GmbH v. NexTier Oilfield Sols., Inc.*, No. 6:20-cv-01201-ADA (WDTX) (asserting U.S. Patent No. 10,844,697)
3. *DynaEnergetics Europe GmbH v. Rock Completion Tools, LLC*, No. 6:21-cv-00084-ADA (WDTX) (asserting U.S. Patent No. 10,844,697)

The listed cases involve the same asserted patent, but different accused products and are at different stages, such that the instant case is ready to proceed and for the CMC to be scheduled.

Defendants note that for the three related cases Answers are due as following: the Answer in Cause No. 6:20-cv-01201 is due on April 7, 2021 (ECF 18), the Answer in Cause No. 6:21-cv-00084 is due on May 30, 2021 (ECF 21), and the Answer in Cause No. 6:21-cv-00085 was due on March 22, 2021 and Defendant in that case filed a Motion to Dismiss on March 22 (ECF 25). As such, Defendants defer to the Court as to whether it wishes to hold a status conference now or at the same time as it holds status conferences in the three related cases.

IPR, CBM, AND OTHER PGR FILINGS

There are no known IPR, CBM, or other PGR filings.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiffs are asserting one patent and at least six claims, including without limitation claims 1, 2, 8-10, and 13.

APPOINTMENT OF TECHNICAL ADVISER

The parties do not request a technical adviser to be appointed to the case to assist the Court with claim construction or other technical issues.

MEET AND CONFER STATUS

Plaintiffs and Defendant conducted a meet and confer conference. The parties have no pre- Markman issues to raise at the CMC.

March 25, 2021

Respectfully submitted,

By: /s/Eric H. Findlay

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***Attorneys for Plaintiffs DynaEnergetics Europe
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CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing *via* electronic mail to all counsel of record.

/s/Eric H. Findlay

Eric H. Findlay